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## NOTICE OF ALLOWANCE AND FEE(S) DUE

68033

7590

10/07/2009

GARRETT IP, LLC  
C/O CPA Global  
P.O. BOX 52050  
MINNEAPOLIS, MN 52050

EXAMINER

SALLARD, SHANNON S

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/07/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/667.235

09/22/2000

David M. Baggett

1956.0010000

1340

TITLE OF INVENTION: METHOD, SYSTEM, AND COMPUTER PROGRAM PRODUCT FOR INTERFACING WITH INFORMATION SOURCES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/07/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
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Alexandria, Virginia 22313-1450  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

68033 7590 10/07/2009

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P.O. BOX 52050  
MINNEAPOLIS, MN 52050**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/667.235	09/22/2000	David M. Baggett	1956.0010000	1340
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**TITLE OF INVENTION: METHOD, SYSTEM, AND COMPUTER PROGRAM PRODUCT FOR INTERFACING WITH INFORMATION SOURCES**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/07/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
SALIARD, SHANNON S	3628	705-005000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- |  |   |
|--|---|
| (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  | 1 |
| (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. | 2 |
|  | 3 |

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

SALLARD, SHANNON S

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 10/07/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 380 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 380 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

09/667,235

**Applicant(s)**

BAGGETT ET AL.

**Examiner**

SHANNON S. SALIARD

**Art Unit**

3628

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/6/09.
2. ☒ The allowed claim(s) is/are 172-213.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

See Appeal Brief filed 08 November 2007.

In addition, the closest prior art of record is DeMarcken et al (WO 00/46715) and Hussey (U.S. Patent 5,826,269).

DeMarcken et al discloses storing a time before departure in a cache (pg. 13, lines 6-11 and Figure 8). DeMarcken et al further discloses identifying one or more factors associated with availability status (pg. 9, lines 9-12)

Hussey disclose prioritizing requestor queries in association with a given priority (col 2, lines 1-8).

As per claim 172, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest ordering records of airline flights based on a combination of factors including age of cached flight availability information associated with at least a portion of the records and time-to-departure, querying one or more airline information sources for the flight availability information corresponding to the records in accordance with the ordering.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is ordering records of airline flights based on a combination of factors

including age of cached flight availability information associated with at least a portion of the records and time-to-departure.

As per claim 198, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest ordering records of airline flights based at least in part on a cached number of available seats associated with the one or more records; querying one or more airline information sources for the flight availability information corresponding to the records in accordance with the ordering.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is ordering records of airline flights based at least in part on a cached number of available seats associated with the one or more records.

As per claim 199, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest separating each of the first and second requests into a plurality of sub-queries; prioritizing the first requestor sub-queries with respect to one another; prioritizing the second requestor sub-queries with respect to one another; ordering the first requestor sub-queries with respect to the second requestor sub-queries according to corresponding times of receipt, including resolving priority disputes between simultaneously received first and second requests so that higher priority sub-queries of the first and second requests are processed before lower priority sub-queries of the first and second requests.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is ordering the first requestor sub-queries with respect to the second

requestor sub-queries according to corresponding times of receipt, including resolving priority disputes between simultaneously received first and second requests so that higher priority sub-queries of the first and second requests are processed before lower priority sub-queries of the first and second requests

As per claim 201, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest converting scheduled airline flight time to approximate flight times; hashing records of the airline flights, including the approximate flights times; storing the scheduled flight times at corresponding hash indexes; converting the requested flight time to an approximate requested flight time; hashing at least the approximate requested flight time to generate a request hash index; returning information from the request hash index including the corresponding scheduled flight time.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is converting the requested flight time to an approximate requested flight time.

As per claim 208, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest caching flight availability information received from one or more airline information sources, including sharing cached availability count record between a plurality of the airline flight records.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is sharing cached availability count record between a plurality of the airline flight records

As per claim 210, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest querying an airline information source for flight availability information in response to the request; searching the cached flight availability information for the requested flight availability information after waiting a pre-determined time for a response from the airline information source.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is searching the cached flight availability information for the requested flight availability information after waiting a pre-determined time for a response from the airline information source.

As per claim 211, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest monitoring flight availability information traffic between an airline information source and one or more clients of the airline information source; caching at least a portion of the monitored flight availability information traffic; determining a likelihood that flight availability information will be received within a period of time by the monitoring; generating proactive queries for flight availability information not likely to be received within the period of time; caching information returned in response to the proactive queries.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is determining a likelihood that flight availability information will be received within a period of time by the monitoring; generating proactive queries for flight availability information not likely to be received within the period of time



As per claim 212, the closest prior art of record taken either individually or in combination with other prior art of record fails to teach or suggest identifying one or more factors associated with flight availability information; learning a relationship between historical values for the one or more historical values for the flight availability information; generating a function according to the learned relationship; receiving a request for flight availability information; providing values for the one or more factors corresponding to the request to the function; and returning predicted flight availability information from the function.

The specific allowable feature, which distinguishes the present invention over the prior art of record, is learning a relationship between historical values for the one or more historical values for the flight availability information; generating a function according to the learned relationship

Claims 173-197 are dependent upon claim 172 and thus has all the limitations of claim 172 and is allowable for that reason. Claim 200 is dependent upon claim 199 and thus has all the limitations of claim 199 and is allowable for that reason. Claims 202-207 are dependent upon claim 201 and thus has all the limitations of claim 201 and is allowable for that reason. Claim 209 is dependent upon claim 208 and thus has all the limitations of claim 208 and is allowable for that reason. Claim 213 is dependent upon claim 212 and thus has all the limitations of claim 212 and is allowable for that reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is (571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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**(571) 273-5587** [Informal/ Draft Communications, labeled  
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window,  
Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Shannon S Saliard  
Examiner  
Art Unit 3628

/S. S. S./  
Examiner, Art Unit 3628

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628